

Exhibit 57

Martin Tripp Deposition Excerpts

~~Martin Tripp-Confidential~~

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

REPORTER'S CERTIFIED
TRANSCRIPT

TESLA, INC., a Delaware
corporation,

Plaintiff,

v.

MARTIN TRIPP,

Defendant,

AND RELATED COUNTER-CLAIMS.)

) Case No.:

) 3:18-cv-00296 LRH-CBC

) **CONFIDENTIAL**

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VIDEOTAPE DEPOSITION OF MARTIN TRIPP

PHOENIX, ARIZONA
WEDNESDAY, SEPTEMBER 4, 2019
9:01 A.M.

DAVID M. LEE, RMR, CCR
Certified Reporter
Certificate Number 50391
File No.: 19-29468



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09:51 1 Q. How should you be viewed then?

09:51 2 A. Preferably not viewed at all.

09:51 3 Q. All right. You wanted to remain anonymous.

09:51 4 A. That is correct.

09:51 5 Q. You wanted to continue with your job at
09:51 6 Tesla while continuing to provide information to
09:51 7 reporters.

09:51 8 A. Only if it was necessary.

09:51 9 Q. And you were going to do that for as long
09:51 10 as you thought it was necessary.

09:51 11 A. Yes.

09:51 12 Q. As determined by you.

09:51 13 A. Yes.

09:51 14 Q. So you thought by changing -- by -- excuse
09:51 15 me. Let me start that again.

09:51 16 You thought by sharing information with
09:51 17 Linette Lopez, you would change the -- what was
09:52 18 being done at the Tesla Gigafactory; right?

09:52 19 A. That was my hope.

09:52 20 Q. And you were going to continue to provide
09:52 21 information from Tesla to Linette Lopez as long as
09:52 22 it was -- you thought there were things that needed
09:52 23 to be changed at Tesla's Gigafactory.

09:52 24 A. If it involved public safety, yes.

09:52 25 Q. So a lot of the information that you

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09:52 1 disclosed had to do with the amount of dollar value
09:52 2 of scrap. Do you remember that?
09:52 3 A. Yes.
09:52 4 Q. How is that an issue of public safety?
09:52 5 A. I can't say that it is.
09:52 6 Q. Then why were you disclosing it to Linette
09:52 7 Lopez?
09:52 8 A. Because there was a concern internally
09:52 9 amongst many employees.
09:52 10 Q. Okay. So there was a concern internally
09:52 11 amongst employees, and you didn't see it was
09:52 12 changing to your liking; right?
09:52 13 MR. FISCHBACH: Object to the form of the
09:53 14 question.
09:53 15 THE WITNESS: It was not changing to the
09:53 16 liking of anyone.
09:53 17 Q. BY MR. GATES: You didn't think that Tesla
09:53 18 was changing sufficiently in response to the
09:53 19 concerns about the level of scrap.
09:53 20 A. That is correct.
09:53 21 Q. And so because of that, you decided to
09:53 22 provide Tesla confidential information to Linette
09:53 23 Lopez.
09:53 24 A. Yes.
09:53 25 Q. But that's not an issue of public safety.

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09:53 1 A. Not to my knowledge.

09:53 2 Q. You also disclosed to her information about
09:53 3 the number of Model 3s that were being produced.
09:53 4 Do you remember that?

09:53 5 A. Yes.

09:53 6 Q. Was that an issue of public safety?

09:53 7 A. I can't say that it is.

09:53 8 Q. Why did you disclose it to Linette Lopez?

09:53 9 A. Because Elon Musk was lying to investors and
09:54 10 the public about the amount of cars being produced
09:54 11 per day, and I was showing proof of that.

09:54 12 Q. Okay. Let's suppose that you thought the
09:54 13 numbers that you were being put to the public were
09:54 14 incorrect. Why go to a reporter with Tesla
09:54 15 confidential information? What's the importance of
09:54 16 that?

09:54 17 A. I believed it was wrong. I, myself, was an
09:54 18 investor with restricted stock units, and I believe
09:54 19 that it was wrong for him to say one thing, and we
09:54 20 were actually doing another.

09:54 21 Q. So because you thought it was wrong, it was
09:54 22 okay to steal Tesla confidential information and
09:54 23 provide it to a reporter.

09:54 24 A. Correct.

09:54 25 Q. Did you raise the issue of the number of

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10:30 1 Q. So on May 27th at 12:39 p.m., when you sent
10:30 2 this e-mail, Exhibit 5, were you at work?

10:30 3 A. I don't know.

10:31 4 (Deposition Exhibit Number 6 was marked
10:31 5 for identification.)

10:31 6 Q. BY MR. GATES: Okay. Because let me give
10:31 7 you what's marked as Exhibit 6, which is an e-mail
10:31 8 from yourself to yourself, from your work e-mail
10:31 9 address to your personal e-mail address; right?

10:31 10 A. That is correct.

10:31 11 Q. And this you sent on May 27th at 2:58 p.m.
10:31 12 Do you see that?

10:31 13 A. Yes.

10:31 14 Q. And you were forwarding to your personal
10:31 15 e-mail address an internal Tesla e-mail; correct?

10:31 16 A. That is correct.

10:31 17 Q. Were you at work when you sent this?

10:31 18 A. I believe I was at home, and I was using
10:31 19 the Outlook app to send it from my Tesla account to
10:31 20 my personal account.

10:31 21 Q. Well, so below the first e-mail is an
10:31 22 e-mail from Christopher Swails to you on May 27th
10:32 23 at 2:33 p.m. Do you see that?

10:32 24 A. Yes.

10:32 25 Q. Okay. So you asked Christopher Swails to

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10:32 1 forward to you the e-mail at the bottom, which was
10:32 2 sent on March 19th; right?

10:32 3 A. That is correct.

10:32 4 Q. And Christopher Swails was one of the other
10:32 5 process technicians; right?

10:32 6 A. That is correct.

10:32 7 Q. Did you tell him why you wanted the e-mail
10:32 8 from March 19th?

10:32 9 A. I asked him for the e-mail; I did not give a
10:32 10 reason.

10:32 11 Q. Did you ask him in person?

10:32 12 A. I believe I asked him in person. Like I
10:32 13 said, I just believe. I don't know for certain how
10:32 14 I sent that.

10:32 15 Q. Okay. So you asked Christopher Swails in
10:32 16 person in the factory; right?

10:32 17 A. At some point, yes.

10:32 18 Q. To send you this e-mail.

10:32 19 A. Yes.

10:32 20 Q. Okay. And then on May 27th, 2018, at 2:33
10:33 21 p.m., he forwarded it to you; right?

10:33 22 A. Correct.

10:33 23 Q. And then less than half an hour later, you
10:33 24 forwarded it from your work account to your personal
10:33 25 account; right?

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10:33 1 A. That is correct.

10:33 2 Q. Were you authorized to send Tesla internal
10:33 3 e-mails to your personal e-mail account?

10:33 4 A. No.

10:33 5 Q. And did you know that at the time?

10:33 6 A. Yes.

10:33 7 (Deposition Exhibit Number 7 was marked
10:33 8 for identification.)

10:33 9 Q. BY MR. GATES: All right. I'll give you
10:33 10 what's been marked as Exhibit 7, and this is another
10:33 11 cover e-mail address without the attachments. This
10:33 12 is an e-mail that says from you, and the "To"
10:33 13 is -- there's two "Me's" in the "To" line.

10:34 14 So was this -- were you sending this to
10:34 15 yourself?

10:34 16 A. I would be inclined to believe that, but I
10:34 17 don't know.

10:34 18 Q. Okay. Do you recognize the subject "T
10:34 19 Scrap 2018"?

10:34 20 A. Yes, I do.

10:34 21 Q. And what was that?

10:34 22 A. That was a data pull of all of the Bandolier
10:34 23 scrap for 2018.

10:34 24 Q. Okay. So this is on May 27th at 5:53 p.m.
10:34 25 You sent what appears to be, to yourself, two

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10:34 1 attachments; one entitled "T Scrap.zip" and one
10:34 2 entitled "T Scrap.xlsx"; correct?
10:34 3 A. Correct.
10:34 4 Q. And what is -- what was the "T Scrap
10:34 5 2018.xlsx"? Was that the pull you just described?

10:35 6 A. That is correct.

10:35 7 Q. What else was in the zip file?

10:35 8 A. I don't know.

10:35 9 (Deposition Exhibit Number 8 was marked
10:35 10 for identification.)

10:35 11 Q. BY MR. GATES: All right. Let me give you
10:35 12 what's been marked as Exhibit 8.

10:35 13 So Exhibit 8 is an e-mail that you sent
10:35 14 to Linette Lopez on May 27th at 6:11 p.m. Is that
10:35 15 right?

10:35 16 A. Correct.

10:35 17 Q. And attached to that e-mail is the T Scrap
10:35 18 2018.xlsx, the spreadsheet that we just discussed;
10:35 19 right?

10:35 20 A. Yes.

10:35 21 Q. And then also the zip file that we just
10:35 22 discussed; right?

10:35 23 A. That is correct.

10:35 24 Q. Okay. And so you are sending to her -- this
10:35 25 was, you said, a pull of all the Bandolier data.

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10:35 1 A. Yes.

10:36 2 Q. And that was a pull of data from the Tesla
10:36 3 MOS; right?

10:36 4 A. That is correct.

10:36 5 Q. And was it for all of the Bandolier scrap
10:36 6 data in 2018 up to that date?

10:36 7 A. That is correct.

10:36 8 Q. And you understood that was Tesla's
10:36 9 confidential information; right?

10:36 10 A. Yes.

10:36 11 Q. You understood that you were not authorized
10:36 12 to disclose that to anyone outside of Tesla; right?

10:36 13 A. Correct.

10:36 14 Q. And you also forwarded to her the e-mail, or
10:36 15 the text of the e-mail that you had obtained from
10:36 16 Christopher Swails; right?

10:36 17 A. Yes, I believe so.

10:36 18 Q. So the text of the e-mail is at the bottom
10:36 19 of Exhibit 8 where, in bold, it says:

10:36 20 "Sent: Monday, March 19th, 2018."

10:37 21 Do you see that?

10:37 22 A. Yes, that is correct.

10:37 23 Q. So that is -- that text below that point is
10:37 24 the e-mail that you had obtained from Christopher
10:37 25 Swails, so that's an internal Tesla e-mail; correct?

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11:01	1	A. Okay.
11:01	2	Q. Right?
11:01	3	A. I'll --
11:01	4	MR. FISCHBACH: Object to foundation.
11:02	5	Answer if you can.
11:02	6	THE WITNESS: I'll assume it's part of this
11:02	7	e-mail, and in that case the answer would be yes.
11:02	8	Q. BY MR. GATES: Okay.
11:02	9	So if you look at page 3 of the e-mail.
11:02	10	A. (Witness complies.)
11:02	11	Q. Do you recognize that the image on page 3
11:02	12	is -- that's data from Tesla's systems; right?
11:02	13	A. Correct.
11:02	14	Q. Okay. And this data was about the
11:02	15	production of Model 3s; right?
11:02	16	A. That is correct.
11:02	17	Q. So if you look at the --
11:02	18	A. Can I clarify?
11:02	19	Q. Sure.
11:02	20	A. It is about the parts produced for the Model
11:02	21	3.
11:02	22	Q. Okay. Thank you for that clarification.
11:02	23	So Exhibit 17, was this picture taken
11:02	24	while you were in the Tesla factory?
11:02	25	A. Yes.

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11:02 1 Q. And is this your laptop?

11:02 2 A. Yes.

11:03 3 Q. Okay. Why did you take a photograph of this,
11:03 4 rather than doing like some kind of screenshot?

11:03 5 A. It was probably faster for me just to take
11:03 6 a picture and send, and it was through my phone that
11:03 7 way.

11:03 8 Q. Were you concerned that if you took some
11:03 9 kind of screenshot, you'd leave an electronic
11:03 10 digital trace of what you were doing?

11:03 11 A. Yes.

11:03 12 Q. So you thought it was safer to take a
11:03 13 photograph with your phone.

11:03 14 A. Yes.

11:03 15 Q. That data and that photograph of this data
11:03 16 in Exhibit 17, you understood at the time that you
11:03 17 were not authorized to share that information with
11:03 18 people outside of Tesla; correct?

11:03 19 A. Yes.

11:04 20 (Deposition Exhibit Number 18 was marked
11:04 21 for identification.)

11:04 22 Q. BY MR. GATES: Okay. I'll give you what's
11:04 23 been marked as Exhibit 18.

11:04 24 Okay. So Exhibit 18 is an e-mail that
11:04 25 you sent to Linette Lopez on May 30th, 2018, at

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11:15	1	[REDACTED]
11:15	2	[REDACTED] [REDACTED]
11:15	3	[REDACTED] [REDACTED]
11:15	4	[REDACTED]
11:15	5	[REDACTED] [REDACTED]
11:15	6	[REDACTED] [REDACTED]
11:15	7	[REDACTED]
11:15	8	[REDACTED]
11:15	9	[REDACTED] [REDACTED]
11:15	10	[REDACTED] [REDACTED]
11:15	11	[REDACTED]
11:15	12	[REDACTED]
11:16	13	[REDACTED] [REDACTED]
11:16	14	[REDACTED]
11:16	15	[REDACTED] [REDACTED]
11:16	16	[REDACTED] [REDACTED]
11:16	17	[REDACTED]
11:16	18	[REDACTED]
11:16	19	[REDACTED]
11:16	20	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
11:16	21	[REDACTED]
11:16	22	[REDACTED]
11:16	23	[REDACTED]
11:16	24	[REDACTED] [REDACTED]
11:16	25	[REDACTED] [REDACTED] [REDACTED]

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11:16 1 queried from the Tesla MOS; right?

11:16 2 A. Database, yes.

11:16 3 Q. So that's Tesla confidential information;

11:16 4 right?

11:16 5 A. Correct.

11:16 6 Q. Which you were not authorized to share with

11:16 7 anyone outside of Tesla; right?

11:16 8 A. Right.

11:16 9 Q. And so by sharing this .pdf with all these

11:16 10 graphs, you were giving to Linette Lopez Tesla

11:17 11 confidential information.

11:17 12 A. Yes.

11:17 13 Q. Why did you send her these graphs? What

11:17 14 were you trying to show her?

11:17 15 A. They did not believe the dollar value of the

11:17 16 amount of scrap, so it was questioned, so we needed

11:17 17 absolute numbers to show that actual number. That's

11:17 18 where these come in.

11:17 19 Q. So these are to show, what, the underlying

11:17 20 data of your calculations?

11:17 21 A. Yes.

11:17 22 Q. Okay. So if you look at, for instance, the

11:17 23 page that's marked GGL000243_ -- or _0001.0006.

11:17 24 A. Okay.

11:17 25 Q. You say it says: "Stator Scrap for 2018."

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11:42 1 A. To get them reworked and out of the NCM
11:42 2 area.

11:42 3 THE CERTIFIED REPORTER: "Out of the"?

11:42 4 THE WITNESS: NCM area, "Non-Conforming
11:42 5 Material."

11:42 6 Q. BY MR. GATES: Okay. So this page that
11:42 7 we're looking at, this screenshot from Tesla's MOS,
11:42 8 that's data that you took knowing that it was
11:42 9 confidential, and knowing that you shouldn't share
11:42 10 it with others, but that you sent to Linette Lopez;
11:43 11 right?

11:43 12 A. Correct.

11:43 13 Q. Okay. Then the next few pages is a
11:43 14 PowerPoint presentation. Do you see that?

11:43 15 A. That is correct.

11:43 16 Q. And that's a PowerPoint presentation that
11:43 17 you put together; right?

11:43 18 A. Correct.

11:43 19 Q. This is not something that Tesla put
11:43 20 together.

11:43 21 A. No.

11:43 22 Q. And so this was your description of the data
11:43 23 that you had pulled from the Tesla MOS; right?

11:43 24 A. Correct.

11:43 25 Q. And here it was -- the -- the point of this

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11:44 1 Q. But didn't you tell Linette Lopez that these
11:44 2 vehicles were given to consumers and it was an
11:44 3 unsafe issue?

11:44 4 A. I told her that they were in cars that had
11:44 5 passed through that point in the manufacturing
11:44 6 process.

11:44 7 Q. Did she -- was she concerned that they had
11:45 8 been sold to consumers?

11:45 9 A. Absolutely.

11:45 10 Q. Well, but didn't you send out publicly all
11:45 11 the VIN numbers that you thought contained Model
11:45 12 3 -- Model 3 VIN numbers that you contended
11:45 13 contained punctured battery cells? Didn't you make
11:45 14 that public?

11:45 15 A. Yes.

11:45 16 Q. And you told people that "If you have one
11:45 17 of these VIN numbers, you've got a punctured battery
11:45 18 cell in your car."

11:45 19 MR. FISCHBACH: Object to the form of the
11:45 20 question.

11:45 21 Q. BY MR. GATES: Right?

11:45 22 MR. FISCHBACH: Object to the form of the
11:45 23 question.

11:45 24 Answer if you can.

11:45 25 THE WITNESS: Yes.

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11:45 1 Q. BY MR. GATES: But you just told me you
11:45 2 didn't have proof of that.

11:45 3 A. Correct.

11:45 4 Q. So you lied in your tweet.

11:45 5 A. No.

11:45 6 Q. Oh, you didn't lie. Okay.

11:45 7 You think that people who saw that, with
11:45 8 all those VIN numbers, believed that "Oh, well
11:46 9 Mr. Tripp is telling me that there may be a
11:46 10 punctured battery cell, but he doesn't know because
11:46 11 he doesn't have proof that it was actually sold
11:46 12 with that punctured battery cell." Is that what you
11:46 13 were intending to convey?

11:46 14 MR. FISCHBACH: Objection to foundation.

11:46 15 Answer if you can.

11:46 16 THE WITNESS: I don't know what their
11:46 17 thinking was -- was at the time.

11:46 18 Q. BY MR. GATES: Were you intending to convey
11:46 19 to people that "Here are these VIN numbers. I think
11:46 20 that they went through quality control, and were
11:46 21 charged at that stage. I don't know whether or not
11:46 22 they were actually sold to consumers." Is that
11:46 23 what you told people?

11:46 24 A. I implied that there was a possibility that
11:46 25 these punctured cells were in vehicles.

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11:46 1 Q. You "implied."

11:46 2 A. There's a possibility.

11:46 3 Q. Is that kind of like evading?

11:46 4 A. No.

11:46 5 Q. Oh, okay.

11:46 6 Let's go to what's _0005. Do you see

11:46 7 that's a color chart?

11:46 8 A. (Witness complies.)

11:47 9 Q. Can you tell us what that is?

11:47 10 A. We're talking about that (indicating) right

11:47 11 there?

11:47 12 Q. Correct.

11:47 13 A. It's very difficult to make out. I can't

11:47 14 tell you.

11:47 15 Q. You can't tell?

11:47 16 A. It's very difficult to -- to read it.

11:47 17 (Deposition Exhibit Number 23 was marked

11:47 18 for identification.)

11:47 19 Q. BY MR. GATES: All right. I'll give you

11:47 20 what's marked as Exhibit 23.

21 THE CERTIFIED REPORTER: I think 22 might

22 be next.

23 MR. GATES: Yes, but I'm going to mark this

24 as 23 because I put the sticker on it already.

25 Q. Okay. I'm giving you what's marked as

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11:47 1 Exhibit 23, which is a colored chart. The top of
11:47 2 the chart starts with a -- it gives a VIN number,
11:48 3 which is [REDACTED] which is the same VIN
11:48 4 number that is in the document that we were looking
11:48 5 at before and you couldn't make out; correct?

11:48 6 A. Correct.

11:48 7 MR. FISCHBACH: Sean, is this a -- a blowup
11:48 8 of 21, and if so, do you want to write the same
11:48 9 "CONFIDENTIAL" designation on it?

11:48 10 MR. GATES: It has a "CONFIDENTIAL"
11:48 11 designation.

11:48 12 MR. FISCHBACH: Oh, does it? Okay. Thank
11:48 13 you.

11:48 14 But if so, it looks like it's a blowup
11:48 15 of GGL000066_0005.

11:48 16 MR. GATES: Correct.

11:48 17 MR. FISCHBACH: Thank you.

11:48 18 MR. GATES: In fact, it was -- you guys --
11:48 19 well, it has a TRIPP Bates number, you just can't
11:48 20 read it, but it is there.

11:48 21 Q. Okay. So we're looking at Exhibit 23.

11:48 22 A. Yes.

11:48 23 Q. Okay. Can you read that?

11:48 24 A. Yes.

11:48 25 Q. Okay. It's a little bit better.

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11:50 1 MR. GATES: Oh, excuse me, yes. This is
11:50 2 Exhibit 22. Thank you.

11:50 3 Q. So I'm giving you what's been marked as
11:50 4 Exhibit 22, which is a printout of a spreadsheet.
11:50 5 At the upper -- on the first page at the upper right,
11:50 6 it says: "723 Model 3s affected."

11:50 7 Do you see that?

11:50 8 A. Yes.

11:50 9 Q. Okay. So is this the spreadsheet and the
11:50 10 data that you gave to Linette Lopez?

11:50 11 A. Yes.

11:50 12 Q. And this was data that you took from Tesla's
11:50 13 systems; correct?

11:50 14 A. Correct.

11:50 15 Q. And this was information that you were not
11:50 16 authorized to share with anyone outside of Tesla;
11:50 17 right?

11:50 18 A. Correct.

11:50 19 Q. And this was your data that you believe
11:50 20 showed that there were 723 Model 3s that had
11:50 21 punctured or damaged cells in them; correct?

11:51 22 A. Yes.

11:51 23 Q. And again, you don't know whether or not
11:51 24 these vehicles were actually sold to consumers with
11:51 25 a punctured or damaged cell.

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12:01 1 Q. So what was the attachment that you sent to
12:01 2 her?

12:01 3 A. I can't say with a hundred percent
12:01 4 certainty what it was. I can't remember.

12:01 5 Q. Did you send her data about Model 3s?

12:01 6 A. I would assume, but I can't make an
12:01 7 absolute.

12:01 8 Q. Do you remember sending her data about the
12:02 9 number of Model 3s that were produced in 2018?

12:02 10 A. I do.

12:02 11 Q. Was that data that you got from Tesla?

12:02 12 A. Yes.

12:02 13 Q. And that was data that you were not
12:02 14 authorized to share with her.

12:02 15 A. That is correct.

12:02 16 (Deposition Exhibit Number 26 was marked
12:02 17 for identification.)

12:02 18 Q. BY MR. GATES: All right. This is Exhibit
12:02 19 26.

12:02 20 A. Thank you.

12:02 21 Q. All right. So Exhibit 26 is an e-mail that
12:02 22 you sent to Linda Lorel, otherwise known as Linette
12:02 23 Lopez, on June 5th, 2018, at 12:43 p.m. The
12:02 24 "Subject" is: "Valeo robot being removed and pic
12:02 25 of the query for all Model 3s."

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13:22 1 A. I believe that's correct.

13:22 2 (Deposition Exhibit Number 36 was marked
13:23 3 for identification.)

13:23 4 Q. BY MR. GATES: Okay. I'll give you what's
13:23 5 been marked as Exhibit 36, which is an e-mail from
13:23 6 you to Linette Lopez on June 13th, 2018, at 10:55
13:23 7 a.m. Correct?

13:23 8 A. Correct.

13:23 9 Q. And she was asking about an engineer who
13:23 10 was laid off. Do you remember who that was?

13:23 11 A. Can you guide me to where?

13:23 12 Q. Well, the subject line says: "Is this the
13:23 13 engineer who was laid off?"

13:23 14 A. Oh, thank you.

13:23 15 Could you just ask the question so I
13:23 16 understand again? Because I just read it.

13:23 17 Q. Yeah, sure. I'm just trying to figure out
13:23 18 what engineer she was trying to understand whether
13:23 19 he was laid off.

13:23 20 A. Ah, yes, okay. It's regarding Charlie
13:24 21 Hill.

13:24 22 Q. Hill.

13:24 23 Okay. So --

13:24 24 A. Yes, down below, yes.

13:24 25 Q. So Mr. Hill was laid off by Tesla?

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13:24 1 A. That is correct.

13:24 2 Q. And Linette Lopez wanted to talk to him; is
13:24 3 that what this was about?

13:24 4 A. That is correct.

13:24 5 Q. And she was just verifying with you that he
13:24 6 had actually left the company.

13:24 7 A. Yes.

13:24 8 Q. And she also was asking about John
13:24 9 Sheridan; right?

13:24 10 A. That is correct.

13:24 11 Q. Did she ever indicate to you that she spoke
13:24 12 with John Sheridan?

13:24 13 A. I don't remember.

13:24 14 Q. At the top you say to her that you: "[W]ill
13:24 15 talk to Rob, who is leaving for L.A."

13:24 16 Who is Rob?

13:24 17 A. He would be Rob Duran, the process engineer
13:24 18 technician that I spoke to her about.

13:24 19 Q. And did you give her his full name and
13:24 20 information, or were you going to talk to him
13:24 21 first, or what was this about?

13:25 22 A. I had only given her his first name, and I
13:25 23 wanted to talk to him to see if he would be
13:25 24 interested in talking to her.

13:25 25 Q. Okay. So she's asking you to: "[T]hink of

Martin Tripp-Confidential

13:25 1 anyone else upset enough to talk."

13:25 2 Do you see that in one of her e-mails

13:25 3 near the top?

13:25 4 A. Yes.

13:25 5 Q. Okay. And so other than Rob, and who was

13:25 6 the other person that you mentioned?

13:25 7 A. At the bottom, Charlie Hill.

13:25 8 Q. Okay.

13:25 9 A. I'm assuming that's who it is.

13:25 10 Q. And John Sheridan, he was one of the people

13:25 11 that you said you spoke with about your concerns;

13:25 12 right?

13:25 13 A. That is correct.

13:25 14 Q. Was he a manager? What was his position;

13:25 15 do you remember?

13:25 16 A. I believe he was -- he -- he was going to

13:25 17 be a manager; I don't know if his title had been

13:25 18 changed.

13:26 19 (Deposition Exhibit Number 37 was marked

13:26 20 for identification.)

13:26 21 Q. BY MR. GATES: All right. I'll give you

13:26 22 what's been marked as Exhibit 37.

13:26 23 So Exhibit 37 is an e-mail from you to

13:26 24 Linette Lopez dated June 15th, at 10:56 a.m. Do

13:26 25 you see that?

~~Martin Tripp-Confidential~~

DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, declare under penalty of perjury, that I have read the foregoing transcript of the testimony taken on September 4, 2019, in the above-referenced matter, and that the foregoing is a true and correct transcript of my testimony contained therein, except for the changes, if any, noted on the attached errata sheet.

Executed this ____ day of _____,
20____.

MARTIN TRIPP

1 I CERTIFY that the foregoing deposition
2 was taken by me pursuant to Notice; that I was then
3 and there a Certified Reporter for the State of
4 Arizona, and by virtue thereof authorized to
5 administer an oath; that the witness before
6 testifying was duly sworn by me to testify to the
7 truth; that the questions propounded by counsel and
8 the answers of the witness thereto were taken down
9 by me in shorthand and thereafter transcribed under
10 my direction, and that the foregoing typewritten
11 pages contain a full, true, and accurate transcript
12 of all proceedings had upon the taking of said
13 deposition, all done to the best of my skill and
14 ability; that deposition review and signature was
15 requested.

16 I FURTHER CERTIFY that I am in no way
17 related to nor employed by any of the parties
18 hereto, nor am I in any way interested in the
19 outcome hereof.

20 DATED at Phoenix, Arizona, this 16th
21 day of September, 2019.

22 

23 _____
24 David M. Lee, RMR, CRR
25 Arizona Certificate No. 50391